

Facilitated Meeting Report

Date: 30 May 2006

Facilitators: Philip Crump, Kathleen Anthony, Elizabeth Neustadter

Facilitated Meeting Held:

Thursday May 25, 2006, 6:30-8:00 pm, Desert Springs Church, 705 Osuna Rd NE 87113

[Held in anticipation of EPC hearing on June 15; the agent agreed to defer the hearing to September 21.]

Project Number: 1001150

Address/Property Description: North side of Osuna between Chappell Road and Vista del Norte NE

Between:

Agent Organization: Tierra West LLC (Ronald Bohannon)—Contact information at end of Report
AND

Neighborhood Assn/Interested Parties: Vista Del Norte Alliance, Vista Del Norte Homeowners Association, Northeast Valley Neighborhood Association, Alameda North Valley Association, North Valley Coalition—Contact information at end of Report

Background/Meeting Summary: This was the first general public meeting regarding this project, which is at the entrance to the development, which encompasses more than 1500 single-family and townhome residences.. It was well-attended. Advance discussion of this project occurred in local media, the Neighborhood Associations were notified and interest was high. The 600-seat Worship Center of the church was filled to overflowing. The meeting was generally orderly, with occasional applause or limited outburst when either neighbors or the presenter made especially popular or unpopular points. Some of the dissatisfactions expressed were related to the history of Vista Del Norte (hereinafter “VDN”) and what some neighbors noted as broken or unfulfilled promises on the part of the original developer. Also, some of the comments referred to the characteristics and impacts of Wal-Mart in general, above and beyond this specific proposal.

Neighbors expressed strong feelings with regard to a number of major issues, summarized as follows:

Traffic—volume and speed of traffic and the impacts on access to, and quality of life within, VDN

Traffic study—concern that the results of the Traffic Impact Study (TIS) are reliable

Project size, scale and character—feeling that the size of the Supercenter is inappropriate for this area, that a supermarket and services are highly desirable, but not at this scale and hours of operation, and that a higher-quality development would be more appropriate

Environmental impacts—light from the parking lot, fumes from a Garden Center and Auto Center

Safety—safety of children from increased traffic and potential increase in crime (auto and residential burglary, especially)

Economic impacts—potential decrease in property values as well as impact on other area businesses

Planning process—the speed of the approval process for this project, as well as the role of the North Valley Area Plan

The agent presented the project, with site and elevation drawings, some site details such as landscaping, financial data, and description of the TIS. Some of the neighbors’ concerns, especially regarding traffic, were anticipated in the presentation.

Outcome: Responding to requests from neighborhood associations, the agent agreed to defer the EPC hearing for 90 days, until the September 21st hearing date. In addition, the agent and association officers will be meeting to discuss the project, including a review of the Traffic Impact Study.

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Areas of Agreement/Unresolved Issues, Interests, Concerns:

Because this was a first public meeting, with limited time for comments (and not everyone who wished to speak was able to do so), there were no general agreements between the agent and the neighbors; agreements may arise from subsequent meetings. The agent did express openness to engage with the neighbors in these future meetings to address the various concerns.

Meeting Specifics:

Agent presentation—

The proposed Wal-Mart Supercenter will occupy approximately 188,000 sq.ft. on the east side of the 22 acre parcel, facing Vista del Norte, with a one-acre site at the corner of Osuna and Vista del Norte for a separate retail facility. This will be a 24-hour, seven-day operation. The Garden Center will be to the south side of the property, away from residences. Truck traffic will enter and exit via Osuna only and the docks will be at the rear of the buildings. Primary access for all vehicles will be via Osuna, with some traffic via VDN. A landscape buffer is proposed along the north and west sides of the property, shielding the parking lot; more landscaping will be provided than is required. In addition, the north side will have an eight-foot screen wall and a noise-canceling wall. There will be pedestrian connections from VDN and Osuna. The building will step down from VDN, because the land slopes down to the east. The facade of the building will be CMU block with stucco accents, in a plane broken as per City design code. There will be a monument sign at the Osuna entrance.

The Traffic Impact Study (TIS) was conducted for the Impact Area defined by the City, including intersection impacts at Osuna and Edith, Chappell, Vista del Norte, Jefferson and I-25 Frontage Road. The TIS compares “no build” and “build year” options for trip generation and distribution by the population of the Impact Area. The TIS compares trip generation for the proposed Supercenter with that for a conventional Shopping Center. Potential changes in traffic infrastructure may include additional turn lanes. Diagrams of proposed changes to roadways will be made available to neighbors.

Public discussion of issues (paraphrased, with *neighbor concerns italicized*)—

Traffic volume and speed:

Given the large number of residences in VDN, ingress and egress are already quite difficult at peak traffic hours; this project would make this problem much worse. Already Osuna and VDN are “autobahns.” We are also concerned because speeding problems on Montañó remain unaddressed. According to the TIS, which was conducted with recent data and looked at intersection capacities, the intersection impacts for VDN will be minimal. Traffic calming can address the “raceway” issue associated with increased traffic volume. Wal-Mart works with authorities to address problems in surrounding areas.

How much traffic will be generated? The impact will be astronomical.

Approximately 11,000 vehicles per day are anticipated, compared with 18-20,000 for a shopping center.

Who pays for roadways and changes? When must changes be completed?

Wal-Mart must mitigate traffic impacts; money is posted for the improvements. All improvements must be completed prior to opening.

This site has an artery on one side only; other Wal-Marts have arteries on three sides.

This facility is smaller than the others you have looked at.

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Traffic study:

Who did the Traffic Study and when?

The TIS was conducted by the traffic engineer we hired, with recent data.

We want all North Valley neighborhood associations to review the TIS with City traffic engineers, looking at all intersections; we want the City and State to help with another review.

We recommend bringing together a core group to review all analyses. [This has been initiated.]

Project size, scale and character:

We are shocked that this is going into an upscale area—can't there be something better? We would prefer an upscale shopping center with Starbucks, Wild Oats, etc. At what point do we reach saturation of big boxes in the area? (There's a Sam's Club 2 ½ miles away—turn it into a Supercenter.) This is large scale, not neighborhood scale.

A Neighborhood Market is planned for the 2nd Street/4th Street area.

What do neighbors want? A grocery, specialty businesses, open space—as we have been promised by the developer of VDN. Smaller stores. Not 24-hour stores. [Question to audience] Who is in favor of Wal-Mart? [About nine hands go up in the audience.]

Economic impacts:

Are there tax incentives for this project? Does Wal-Mart pay full state taxes?

There are no tax incentives. WM pays a considerable amount of Gross Receipts Tax to City and State—\$3 million per store. No corporate taxes are paid in New Mexico by this Arkansas corporation. We paid \$5.7 million in State and local taxes in NM in 2005, plus real estate and payroll taxes. In 2004, WM paid \$121 million to local suppliers.

We have a concern about the negative impact on the Balloon Fiesta—71% of the balloons go over this area and use it as a major and emergency landing area. The Fiesta produced an estimated \$97 million in 10 days in 2003.

Who is concerned about the welfare of the community; property values will go down when Wal-Mart opens. Decreased property values result in decreased property tax revenues. Has there been an economic impact study done?

Property values are based on comparables, not on the presence of Wal-Mart. There has been no study of property value impacts.

Wal-Mart business practices do not support our state.

It attracts other commerce and keeps shopping local.

Environmental impacts:

This will be a 24/7 operation. We are concerned about lighting as well as security on the site.

Light standards will be 15 feet at the perimeter and 30 feet elsewhere in the parking lot. There will be security cameras and cameras in the light standards. The 24/7 operation accommodates non-9-to-5 workers and allows in-store work at night.

We are concerned about air quality effects of the Garden Center and Auto Center.

Air Quality Impact analysis indicated this project will be 2/3 below the required threshold; there will be no violation of air quality standards.

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A store of this size will generate litter in the surroundings.

[Eubank store manager responds] We spend a lot of money keeping the area around the Eubank store clean.

We've lost trust in Sundt Corporation; we've been promised a park for over 10 years. This was a condition of approval from EPC in 1995.

We can put money toward landscaping and may contribute to parks and playgrounds in the neighborhood.

Safety:

We are concerned about the safety of children and pets and the quality of life in the neighborhood that will be threatened by the traffic generated by this project. [Applause from audience.]

With increased traffic comes auto and residential burglary and other security issues, due to undesirables coming into our neighborhood. Also, there is no safety plan—police and fire—as we were supposed to get in Vista del Norte.

Will there be alcohol sales? Firearm sales?

There will be alcohol sales, but no firearm sales.

Planning process:

Is this a done deal?

Nothing is a done deal, though the land is under contract. A considerable amount of money has already been spent. The area is zoned C-2 for Shopping Center (Retail Services), so no zone change is required. In addition, the EPC looks only at the user, not the uses.

This parcel is zoned C-2, but the North Valley Area Plan limits large-scale uses. This parcel is not designated for this use under the Plan. Consider a smaller alternative.

What are the points in the approval process where we can intervene if we don't want this? Land-use planning has been what developers—not neighbors—want.

Currently the EPC hearing is June 15. After that, the Appeal process includes the Land Use Hearing Officer, then City Council, then district Court.

How long from final approval to opening? When will we know about the groundbreaking?

Opening will be between 4 or 5 months and a year from approval. This is a big project; you will see the heavy equipment working.

The VDN Alliance was only notified after May 10th; when did this project start? Why weren't we notified earlier?

The project started 3 months ago. Notification takes place after the soil, traffic analyses. If they showed the project not to be economically viable, then it would not go ahead and no one would know.

You say, "Wal-Mart wants to work with residents." This is only the first meeting, with comments coming for the first time. We request a 90 day deferral of the EPC hearing, for thorough consideration of this project. [Audience applauds] The Alliance will conduct additional meetings on this project.

We will come up with a deferral date before the end of this meeting.

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[At the end of the meeting]

We agree to 90-day deferral (3rd Thursday in September = 21st), will meet with NA and Coalition representatives during this time to discuss the project.

Action Plan: During the period prior to the deferred EPC hearing date, the Agent will meet with representatives of the Neighborhood Associations to discuss the project, including the Traffic Impact Study. It is anticipated that there will be more public meetings.

Application Hearing Details:

- 1) Hearing scheduled for Thursday, September 21, 2006. [rescheduled from June 15]
- 2) Hearing Time:
 - i) The Commission will begin Hearing applications at 8:30 AM.
 - ii) The actual time this application will be heard by the Commission will depend on the applicant's position on the Commission's schedule
- 3) Hearing Process:
 - i) Comments from facilitated meeting will go into a report which goes to City Planner.
 - ii) City Planner includes facilitator report in his recommendations.
 - iii) The Commission will make a decision and parties have 15 days to appeal the decision.
- 4) Resident Participation at Hearing:
 - i) Written comments must be received by 5PM Monday, September 18, 2006 and may be sent to:

xStephanie Shumsky, Staff Planner
sshumsky@cabq.gov
600 2nd Street, Third Floor
Albuquerque NM 87102

or Jeffrey Jesionowski, EPC Chair
c/o Planning Department
600 2nd Street, Third Floor
Albuquerque, NM 87102

Names and Addresses of Attendees:

Due to the large number of attendees, the sign-in sheets are with City Alternative Dispute Resolution Coordinator Shannon Watson 768-4500 (Legal Department).

This report will be available to all interested parties— posted on the City website and available in hardcopy at the Planning Department.

Address comments (including corrections or additions to this Report) to planner Stephanie Shumsky.

Contact information for Principals:

Tierra West LLC (Ronald Bohannon, 858-3100)

Vista Del Norte Alliance (Rod Crawley, Acting Pres, amerrod@yahoo.com;

Richard Hix, VP, vistadelnortealliance@yahoo.com)

Vista Del Norte Homeowners Association

Northeast Valley Neighborhood Association (Virginia Huettig, VP, huettig@earthlink.net)

Alameda North Valley Association (Steve Wentworth, anvanews@aol.com)

North Valley Coalition (Claude Morelli, Pres, claudemorelli@transnuevo.com)

Copies to:

Shannon Watson, ADR Coordinator

Stephani Winklepleck, Neighborhood Program Coord

Debbie Miera, PeaceBuilders

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